

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ian James Day and James Patrick Evans

Serial No.: 09/936,960

Filing Date: September 18, 2001

Title: **ENCLOSURE FOR HARDWARE**

Our File: BAC-116-A

CERTIFICATE OF MAILING AND COVER LETTER

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith are the following: (1) a "Renewed Petition for Revival of An Application for Patent Abandoned Unavoidably Under 37 CFR 1.137 (a)"; Declaration of Arnold S. Weintraub; (3) this "Certificate of Mailing and Cover Letter"; and (4) a Self-Addressed and Stamped Postcard.

 X No additional fee is required (Original Petition fee paid on 3/8/05).

 Check in the amount of \$ is attached

 X Please also charge any additional fees which may be required and/or credit any overpayments to this Deposit Account No. 50-2815.

Certificate of Mailing (37 CFR 1.8 (a)) I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition; Commissioner for Patents; P. O. Box 1450; Alexandria, VA 22313-1450 on April 20, 2005.


Rachel M. Snyder

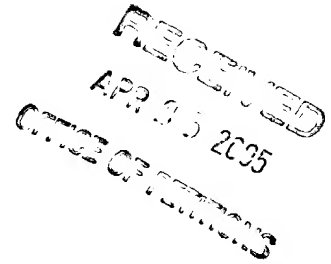


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#6

Applicant: Ian James Day and James Patrick Evans
Serial No. 09 / 936,960
Issued: September 18, 2001
Title: ENCLOSURE FOR HARDWARE
Our File: BAC-116-A



RENEWED PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

12 JUL 2005

Legal Staff
International Division

Sir:

Responsive to the Decision on Petition of March 25, 2005 please enter the following renewed petition:

In the Decision on Petition, the Office denied same on the basis that:

1. No statement by the Practioner that the Office Action was not received was included;

2. No Statement attesting to a search of the file jacket and docket records indicating that the Office Action was not received, and

3. A copy of the docket record where the non-received Office Action would have been entered had it been received. According to the Office, item 1 has not been satisfied and there was no statement that a search of the file jacket and docket records indicates that the Office Action was not received and the Office required a copy of the docket record. First, it is submitted that the filing of the Petition and the Statement by Applicant's Attorney contained within the communication would have satisfied the requirement that the

Repl. Ref: 07/19/2005 CS000T 0012025500
DHH:502815 Name/Number:09936960
OFF:8294

4. The docket record is maintained electronically in a docketing program entitled IPMaster sold by Master Data Center, which is a recognized Patent and Trademark docketing software. The file is identified as BAC-116-A which is the internal code that Applicant's Attorney's office uses to identify this file.

5. Also appended hereto are copies of the manual docket records backup from the, then, IP practice group of Plunkett & Cooney P.C. for the months of November and December of 2001 and January of 2002. Plunkett & Cooney, P.C. is the office from which the undersigned filed this application. These manual backup records fail to show the docketing of a need for a reply for this file, thereby indicating that the Notification was never received.

FURTHER AFFIANT SAYETH NAUGHT

Subscribed and sworn to before me this

19th day of April, 2005

Michelle K. Novak

Notary Public, Oakland County, Michigan

My Commission Expires: 01-11-07

MICHELLE K. NOVAK Acting in Oakland Co.
NOTARY PUBLIC OAKLAND CO., MI
MY COMMISSION EXPIRES Jan 11, 2007

Arnold S. Weintraub
ARNOLD S. WEINTRAUB



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ian James Day and James Patrick Evans
Serial No. 09 / 936,960
Issued: September 18, 2001
Title: ENCLOSURE FOR HARDWARE
Our File: BAC-116-A

DECLARATION

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Arnold S. Weintraub, being first duly sworn and opposed swear that:

1. I am the attorney in charge of the above application.
2. I have reviewed the Petition on Decision of March 25, 2005 and assert the following:

(a) The Office Action identified as a Notification of Missing Requirements was not received; and

(b) I have personally reviewed the entire file jacket of this application and nowhere within it is the Notification of Missing Requirements that has been indicated by the Office as being sent on 8 November, 2001.

3. Appended hereto is a copy of the docket record for the file in question. If the Office Action had been received it would have been entered into the docket for response.

Office Action was never received. However, to that end appended hereto is a declaration of Applicant's Attorney stating that the Office Action had not been received.

Also, included herewith is Applicant's Attorney's statement that the entire jacket file has been reviewed and the Notice is not present therewithin.

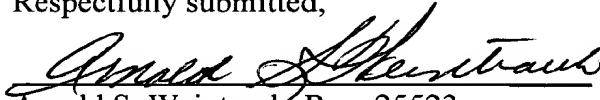
Finally, appended hereto is a copy of the docketing sheets.

Applicant's Attorney uses a computer software docketing program supplied by Master Data Centers entitled IP Master, an accepted patent docketing system, for maintaining all the docketing. It will be seen that there is no entry for receipt of the Office Action.

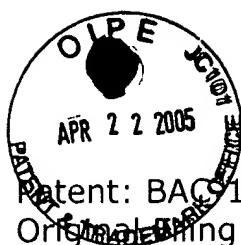
The printout identifies the file by Applicant's Attorney's internal code as well as the numeric code of the file as of the time he was associated with the firm Plunkett & Cooney, P.C. Both of these have been highlighted.

It is believed that all requirements for the Petition to withdraw the Holding of Abandonment have now been met.

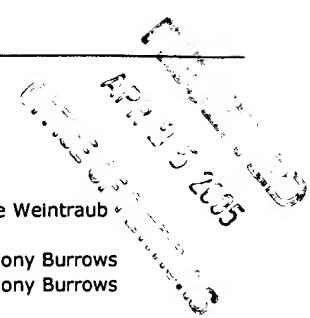
Respectfully submitted,


Arnold S. Weintraub, Reg. 25523
The Weintraub Group, P.L.C.
32000 Northwestern Highway, Suite 240
Farmington Hills, MI 48334
Phone: (248) 865-9430
FAX: (248) 865-9436

Dated: April 19, 2005



Patent: BAC-116-A, United States, Regular, National,
Original Filing



Patent Data

Docket Number	BAC-116-A	Attorney	Arnie Weintraub
Country	United States	Agent	
Case Type	Regular	Client\Division	Anthony Burrows
Relation Type	Original Filing	Current Owner	Anthony Burrows
Filing Type	National	Previous Owner	
Filing Number		Client\Matter	12513.14938
Status	Filed	First Filing Date	3/18/1999
Sub Status		Sub Status Date	
Parent Country	Patent Cooperation Treaty	Parent Filing Date	3/20/2000
Parent Number		Parent Grant Date	
Application Number	09/936960	Application Date	9/8/2001
Patent Number		Grant Date	
Publication Number		Publication Date	
Assigned		Ind. Claims\Designs	0
Convention Type		Total Claims	0
Custom Code #1		TotalClasses	
TaxAgent		ConfirmationNumber	
Operating Group		Tax Base Date	
Custom Party #1		Next Tax Date	
Custom Party #2		Expiration Date	
Custom Party #3		Custom Text #1	
Custom Party #4		Custom Date #1	
Custom Party #5		Custom Text #2	
Custom Party #6		Custom Date #2	
Custom Party #7		Custom Text #3	
Custom Party #8		Custom Date #3	
Agent Ref No		Custom Text #4	
Custom Code #2		Custom Date #4	
Custom Code #3		Text #5	
Custom Code #4		Text #6	
Custom Code #5		Text #7	
Custom Code #6		Text #8	
Custom Code #7		Text #9	
Customer Code	WEIP	Customer Name	Weintraub Group

Title

ENCLOSURE FOR HARDWARE

Description

Current Expense Information

Other Case-Related Information

Actions

Action	Action Due Date	Mailed Date	Deadline Date	Completed Date	Responsible Atty #1	Responsible Atty #2	Action Notes
Notice of abandonment		10/20/2004					Mailed by PTO
Override, No Validation		3/8/2005					Petition to Revive an abandoned Patent filed on 3/8/2005
Published	9/18/2000						
Info Discl. Statement	12/8/2001						

Override, No 5/25/2005 3/25/2005
Validation

Decision on petition received on
3/25/2005, reconsideration must be
filed by 5/25/2005

CreateUser: KVA

UpdateUser: rsnyder

CreateDate: 11/1/2001

UpdateDate: 3/30/2005

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WEEK STARTING 11-3-01		ENDING 11-4-01		DISPOSITION
DUE DATE	ATTY.	OUR REF.	NATURE OF ACTION	
11-3-01	ASW	JCK-100-A-CANADA	Maint fee Due today	
11-3-01	ASW	R60-101-T2	Status Inquiry	
		Canada	request for	
11-3-01	ASW	JCK 100 A	Examination	
			Contact client	
11-5-01	ASW	MLO-105-A-CAN	re: annuity due 1/5/02	
			Contact client	
11-8-01	ASW	MLO-161-C-CAN	re: annuity due 1/8/02	
11-3-01	ASW	MFI-100-TM	O/A response due today	
11-3-01	ASW	WCD-111-T2	O/A response due today	
11-3-01	ASW	MDH-111-T2	O/A response due today	
11-3-01	ASW	MLO-145-A	Status of Petition to Review?	
11-4-01	ASW	RNA-105-TM	O/A response due today	
11-8-01	ASW	EXT-114-A	Contact client	
11-9-01	ASW	MRP-100-A-CAN	re: annuity due 1/9/02	Maint fee due today
			Contact client	
11-6-01	ASW	GJM-102-T2	re O/A due 11/6/02	
11-6-01	ASW	MLO-168-A-CAN	Maint. Fee Due	
11-10-01	ASW	IOP-100	Discovery period to close	
11-10-01	ASW	BTU-101-A-Canada	Maintenance fee due	
11-10-01	ASW	SIR-100-P	FF + Completion date	
11-10-01	ASW	TTI-101-A	Issue fee/Drawings Due 'ho.	
11-9-01	ASW	MJA-268-A	Expiration of Pub.	
11-9-01	ASW	MJA-108-A-1	2 mo. to R/O/A due	
11-9-01	ASW	MJA-269-A	Expiration of Pub.	

WEEK STARTING

11/11/01

ENDING

11/24/01

DUE DATE	ATTORNEY	OUR REF.	NATURE OF RESPONSE
11-11-01	ASW	MLO-161-B	REVIEW
11-13-01	ASW	MSA-272-T2	Review re O/A due 12/13/01
11-12-01	ASW	ECT-100-D-Cm	Main Fee Due
11-12-01	ASW	MJTA-282	Discovery Chases
11-14-01	EXT-123-C	—	Maint fee due 1 mo.
11-16-01	ASW	SKJ-101-T2	Cont. cl.
11-16-01	ASW	SKJ-100-TM	Cont. cl.
11-16-01	ASW	MLO-109-B-Cm	Maint. Fee Due
11-15-01	ASW	MFI-101-TM	Resp to O/A due today
11-12-01	ASW	MAR-100-A PCT Email	Associate to pay m. f. unless instructed otherwise
11-16-01	ASW	GJM-108-T2	Contract due re O/A due 1/16/02
11-16-01	ASW	CAA-100-P	Convention date (A)
11-16-01	ASW	BAE-111-T2- 000	O/A due today
11-18-01	ASW	SRS-109-TM	Review re O/A due 12/18/01
11-18-01	ASW	SRS-102-TM	Review re O/A due 12/18/01
11-17-01	ASW	111-100-A ✓	Contract due 31 mo to O/A due
11-20-01	ASW	HKS-100-A- AN	re arrears due 1/20/02
11-20-01	ASW	FDS-100-A CAN	Contract due re arrears due 1/20/02
11-20-01	ASW	SRS-108-TM	Review re O/A due 12/20/01
11-19-01	ASW	HHW-102-T2	Cont. cl.
11-19-01	ASW	NSA-109-A	2 mo to R/O/A due
11-21-01	ASW	WMI-104-A	R/O/A due 1 mo
11-22-01	ASW	SRS-106-TM	Review re O/A due 12/22/01
11-22-01	ASW	ROI-101-P	2 mo. to ff/comp due date
11-23-01	ASW	MLO-187-A CAN	Contract due re arrears
11-23-01	ASW	BAC-109-T2	Exp. Date of Pub. due 1/23/02
11-24-01	ASW	PBP-110-P	Cont. cl. re app
11-22-01	ASW	BAC-113-A	2 mo to O/A due

11 25-01

ENDING

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WEEK STARTING		ENDING		DISPOSITION
DUE DATE	ATTY.	OUR REF.	NATURE OF ACTION	
12-13-01		FDB-100-A Canada	Application to be laid open for public inspection	
12-13-01		MJA-272-T2	Response to O/A due today	
12-16-01	ASW	65M-108-T2	Review re O/A due 1/16/02	
12-14-01	ASW	EXT-123-C	Manifest Due	
12-17-01	ASW	VI-100-A	O/A due date	
12-18-01	ASW	SRS-109-TM	O/A response due today	
12-18-01	ASW	SRS-102-TM	O/A response due today	
12-19-01	ASW	MLD-101-B- CANADA	Control client re: arrears due 2/19/02	
12-19-01	ASW	CAE-107-A ASW-109-A	2 mo to O/A due 11 7	
12-19-01	ASW	CAN		
12-20-01	ASW	HKS-100-A CANADA	Review re arrears due 1/20/02	
12-20-01	ASW	SRS-108-TM	O/A response due today	
12-22-01	ASW	SRS-106-TM	O/A response due today	
12-20-01	ASW	FDS-100-A CAN	Review re: arrears due 1/20/02	
12-23-01	ASW	MLD-187-A- CAN	Review re: arrears due 1/23/02	
12-22-01	ASW	BAC-113-D	2 mo to O/A due	
12-22-01	ASW	ROI-101-P	1 mo. to ff/Comp due due	
12-28-01	ASW	CAE-115-A- SWITZERLAND	Control client re arrears due 2/28/2002	
12-28-01	"	CAE-115-A- SWEDEN	" "	
12-28-01	ASW	CAE-115-A- ITALY	Control client re arrears due 2/28/02	
12-26-01	ASW	MLD-115-B CANADA	Control client re arrears due 2/26/02	
		SIT-102-TM	O/A response due today	

WEEK STARTING			ENDING	DISPOSITION
DUE DATE	ATTY.	OUR REF.	NATURE OF ACTION	
12-12-01	ASW	MLO-239-P	contact client re completion of filing	
12-19-01	ASW	MLO-110-B-Des.	FP2	
12-17-01	ASW	GLD-101-T2	cont. cl. (OA due 2/17/02)	
12-17-01	ASW	GLD-102-TM	cont. cl. (OA due 2/17/02)	
12-22-01	ASW	BAC-113-D	1 mo to R/O/A	
12-23-01	ASW	PIS-103-TM	contact client	
12-20-01	ASW	WBI-100-T2-Lan	cont. cl.	
12-21-01	ASW	WMI-104-A	R/O/A due	
12-27-01	ASW	WMI-105-A	R/O/A due	
12-28-01	ASW	SWB-101-T2	cont. cl. re: OA due 2/28/02	
12-28-01	ASW	GLD-103-T2	cont. cl. re: OA due 2/28/02	
12/31/01	ASW	EOI-110-T2	FP2	
12/30/01	MSG	NAR-102-T2	1 mo to payment of use due	
		ANG-102-T2		
12/31/01	ASW	EOI-109-TM	FP2	

WEEK STARTING 1-01-02

ENDING 1-02-02

WEEK STARTING					
DUE DATE	ATTY.	OUR REF.	NATURE OF ACTION	DISPOSITION	
12/12	MSB ASW	PAR-102-102 ANG ID 2 T2	R/RAO		
1/2/02	ASW	MJA-113-TM-Can	rev. no. OA resp. due 2/2/02 refund		
1-2-02	ASW	AMP-115-B	Heard back from PTO re: ^{of} fees?		
12/12	ASW	PAR-102-102	R/RAO		

WEEK STARTING

ENDING

[illegible]

1-11-02

1-12-02

[illegible]

WEEK STARTING 1-13-02

ENDING 1-14-02

[illegible]

WEEK STARTING 1-17-02

ENDING 1-18-02

[illegible]

WEEK STARTING

1-19-02

ENDING

1-20-02

DUE DATE	ATTY.	OUR REF.	NATURE OF ACTION	DISPOSITION
1/19/02	ASW	MLO-161-B-AN	Review re arrears due 2/19/02	
1/19/02	ASW	CAE-107-A-CAN	" " "	
1/19/02	ASW	MLO-110-B-Des.	Convention Deadline	
1-19-02	ASW	HHW-102-T2	Resp. to SA Due	
1-19-02	ASW	NSA-109-A	R/O/A due	
1-20-02	ASW	FDS-100-A-CAN	Arrears due today	
1-20-02	ASW	HKS-100-A-CAN	Arrears due today	
1-20-02	ASW	WBI-100-T2-CAN	Stmnt of Use Due	
1-20-02	ASW	PTS-132-TM	Cont cl. re. OA due 3/20/02	
1-20-02	ASW	FJR-100-T2	Cont cl. re. OA	

WEEK STARTING

1-21-02

ENDING

1-22-02

DUE DATE	ATTY.	OUR REF.	NATURE OF ACTION	DISPOSITION
1-22-02	ASW	BAC-113-D	R/O/A Dne	
1-22-02	ASW	ROI-101-P	Pf/Completion due date	
1-23-02	ASW	MLO-187-A-CAN	Arrears due today	

1-23-02

1-24-02

[illegible]

1-25-02

1-26-02

[illegible]

WEEK STARTING 1-27-02

ENDING 1-28-02

DUE DATE	ATTY.	OUR REF.	NATURE OF ACTION	DISPOSITION
1-28-02	ASW	CAE-115-A SWITZERLAND	Contract client re annuity due 2/28/02	
1-28-02	ASW	CAE-115-A- SWEDEN	" "	
1-28-02	ASW	CAE-715-A- Italy	Contract client Renew annuity due 2/28/02	
1-28-02	ASW	MGJ 103-A-DCT S. Africa	Renual/ Annuity Due today?	

1-29-02

1-30-02

WEEK STARTING		ENDING		DUE DATE	ATTY.	OUR REF.	NATURE OF ACTION	DISPOSITION
1/29/02								
1/30/02								
NAR-102TR AMG-102TR MSG		←				Statements of Use due today		

